

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT**

MISTY BLANCHETTE PORTER, M.D.,

Plaintiff,

vs.

DARTMOUTH-HITCHCOCK MEDICAL
CENTER, DARTMOUTH-HITCHCOCK
CLINIC, MARY HITCHCOCK
MEMORIAL HOSPITAL, and
DARTMOUTH-HITCHCOCK HEALTH,

Defendants.

Case No. 5:17-cv-194

**AFFIDAVIT OF MICHELE Z. KING IN SUPPORT OF
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT ON ALL CLAIMS**

Michele Z. King, under penalty of perjury, states and declares as follows:

1. I am currently employed by Dartmouth-Hitchcock Medical Center ("DHMC") a Risk Manager in Risk Management. I have personal knowledge of the matters set forth in this Affidavit and I could and would competently testify to those matters if called upon as a witness.

2. In my capacity as Risk Manager, I have access to email inboxes of DHMC employees.

3. Dartmouth-Hitchcock Information Systems assisted with the collection of the email exchange contained in the document attached as Exhibit A (DH0026960) in the course of preparing a defense in this matter.

a. Exhibit A is an email that was maintained by DHMC and reflects a communication from Heather Gunnell on behalf of Leslie DeMars and David Seifer to members of DHMC's Reproductive Endocrinology and Infertility ("REI") Division.

b. Exhibit A reflects a true and authentic copy of this email as maintained on DHMC's email servers.

c. It is the routine and customary practice of DHMC to maintain the contents of employees' email inboxes, such as those contained in Exhibit A, in the ordinary course of business.

4. Dartmouth-Hitchcock Information Systems assisted with the collection of the email exchange contained in the document attached as Exhibit B (DH0026988) in the course of preparing a defense in this matter.

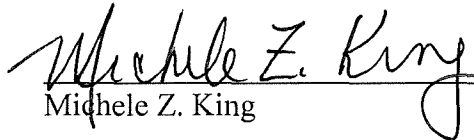
a. Exhibit B is an email that was maintained by DHMC and reflects a communication from David Seifer to members of DHMC's REI Division.

b. Exhibit B reflects a true and authentic copy of this email as maintained on DHMC's email servers.

c. It is the routine and customary practice of DHMC to maintain the contents of employees' email inboxes, such as those contained in Exhibit B, in the ordinary course of business.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 29 day of January, 2020.


Michele Z. King

CERTIFICATE OF SERVICE

I hereby certify that, on January 29, 2020, a copy of the foregoing document was electronically filed through the ECF system and will be sent electronically to all persons identified on the Notice of Electronic Filing.

/s/ Tristram J. Coffin
Tristram J. Coffin